

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1. In Figure 1, the HARP peptide label is amended as described in the original specification, e.g., line 32 of page 25, or in the substitute specification, e.g., line 8 of page 26: HARP peptides 16-39.

Attachment: Replacement Sheet

REMARKS

The present application is amended in a manner to place it condition for allowance.

Applicants acknowledge with appreciation the indication that claims 22 and 30 are directed to allowable subject matter.

Status of the Claims

Claims 20 is amended to include the allowed features of previously presented claim 22.

Claim 27 is amended in a manner consistent with amended claim 20.

Claim 28 is amended to include the features of previously presented claim 29.

Claim 35 is amended to recite tumors as the particular pathology, e.g., as described at specification page 15, lines 20-28 of the originally filed specification.

Claim 36 is amended to include the features of previously presented claim 37.

Claims 21-26, 29, 31-34 and 37-41 are cancelled without prejudice, as applicants reserve the right to file a continuation or divisional application directed to the cancelled subject matter.

Claims 20, 27, 28, 30, 35 and 36 remain pending in the application.

Claim Objections

Claim 28 was objected to for reciting "ALK". The amended claim no longer recites "ALK".

Claim 29 was objected to for reciting "said further peptide". However, this objection is moot, as this claim is cancelled.

Therefore, withdrawal of the objections is respectfully requested.

Objection to the Specification

The Official Action objected to the typographical error at page 4, line 29 of the specification, and the inconsistency of the ranges of HARP peptide, as disclosed at page 25, line 25, page 25, line 33, and Figure 1.

The specification and Figure 1 have been amended in manner consistent with the discussion at page 25, line 32, i.e., the ranges of HARP peptides correspond to the sequence 13-39 and 65-97. See, e.g., the Amendment to the Specification and the Amendment to the Drawings in this Amendment.

No new matter has been added to the specification or the drawings.

Therefore, withdrawal of the objection to the specification is respectfully requested.

Claim Rejections-35 U.S.C. §112

Claims 20-21, 27-29, 35-37 and 40 were rejected under 35 U.S.C. §112, first paragraph for not being enabled for "an amino acid sequence at least 90% identical" to SEQ ID NO:2 or SEQ ID NO:3 and exhibiting any angiogenesis inhibiting activity.

The Official Action stated, however, the features recited in claim 22, e.g., an isolated peptide consisting of an amino acid sequence SEQ ID NO:2 or SEQ ID NO:3, as well as SEQ ID NO:4 as recited in claim 30, in addition to the treatment of tumors, are enabled by the specification. Thus, the pending claims are directed to this enabled subject matter.

Therefore, the claims comply with the enablement requirement, and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the amendment to claims to include the allowable subject matter and the foregoing remarks, the present application is in condition for allowance. Allowance and passage to issue on that basis is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following items:

-Replacement sheet for page 1 of the Drawings, which includes an amendment to Figure 1.